



16244

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION

OF: PEES ET AL.

CONFIRMATION NO.: 5506

SERIAL No. 09/840,488

GROUP ART UNIT: 1624

FILED: APRIL 23, 2001

EXAMINER: MARK L. BIRCH

FOR: FUNGICIDAL TRIFLUOROMETHYLALKYLAMINOTRIAZOLOPYRIMIDINES

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

RECEIVED

FEB 03 2003

TECH CENTER 1600/2900

TERMINAL DISCLAIMER

Sir:

Your Petitioner, BASF Aktiengesellschaft, a corporation of Germany, having a place of business at 67056 Ludwigshafen, is the Assignee of the entire right, title and interest in and to pending U.S. application Serial No. 09/840,488, the assignment recorded in the Patent and Trademark Office on November 16, 2001, on Reel 012276, Frame 0001.

Your Petitioner, by undersigned attorney, hereby disclaims the terminal part of any patent granted U.S. application Serial No. 09/840,488 which would extend beyond the expiration date of U.S. Patent No. 6,255,309, which patent is also owned by Petitioner, and hereby agrees that any patent based on U.S. application Serial No. 09/840,488 shall be enforceable only for and during such period that the legal title of the patent shall be the same as the legal title to U.S. Patent No. 6,255,309, this agreement to run with any patent granted on U.S. application Serial No. 09/840,488, to be binding upon the grantee, its successors or assigns.

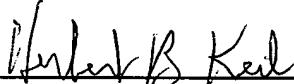
00000097 09840488
110.00 OP01/31/2003 CCHAU1
01 FC:1814

Petitioner also states that the invention disclosed and claimed in U.S. application Serial No. 09/840,488 and the invention disclosed and claimed in U.S. Patent No. 6,255,309 were commonly owned when the invention disclosed and claimed in the present application was made.

Petitioner further states that the evidentiary documents relating to the ownership of U.S. application Serial No. 09/840,488 and U.S. Patent No. 6,255,309 have been reviewed and Petitioner certifies that to the best of its knowledge and belief, title is in Petitioner.

The undersigned has reviewed the documents in the chain of title of the U.S. application identified above and, to the best of undersigned's knowledge and belief, title is in the Assignee identified above.

This Terminal Disclaimer executed on behalf of the Assignee by undersigned attorney of record, this 12 day of November, 2002.



(Herbert B. Keil)

(Reg. No. 18,967)

1350 Connecticut Ave., N.W.
Washington, D.C. 20036
(202) 659-0100